were still accepted law, e. g. in regard to the position of merchant vessels on the outbreak of war, the doctrine of continuous voyage, and contraband. This defect is hardly cured by the statement in the editor's preface that the "laws of war and neutrality were admittedly in partial suspense."

The invasion of Belgium is dealt with under Intervention for Self-Preservation, because the Germans thus defended it. (I, 220.) There does not seem to be any mention of the seizure by England of the neutral island of Madeira during the Napoleonic Wars to prevent its falling into the hands of the French. There is no notice, apparently, (II, 256-257) of the fact that armament on a merchant vessel has an influence upon the ship's immunity from being sunk without warning by submarines, yet several authorities consider this operative fact as going to the very crux of the legal position. The League of Nations is discussed as an established institution of international law. There is a fairly adequate citation of leading cases, but necessarily few cases are discussed at any length.

In spite of such shortcomings as have been mentioned, the book must be welcomed as the most up-to-date systematic standard work on international law.

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Handbook of Practice under the Civil Practice Act of New York. By Carlos C. Alden. New York, Baker, Voorhis & Company, 1921. pp. vi, 340.

As the author states, this book has been prepared primarily for the use of students. It presents in abbreviated form the substance of those portions of the Code of Civil Procedure dealing with the usual proceedings in an action in a court of record, and, in addition, information abstracted from various other acts outlining procedure in courts not of record and in Surrogate's Courts. Much helpful material gleaned from decisions is incorporated. By a study of this treatise a student will acquire an understanding of the relation of the procedural legislation to the actual mechanics of a lawsuit, which he could never gain by the unaided study of the Civil Practice Act and rules of court.

The work has been done so well on the whole that one hesitates to comment upon its faults. These, such as they are, are doubtless due largely to the effort to compress a tremendous bulk of material into so few pages. For example, in speaking of the designation of parties in a summons, the author says on page 44: "The use of a middle initial is proper, and affords identification, but a mistake therein is immaterial." Where the summons is personally served, there is no question as to the accuracy of this statement. But where service is by publication, it is open to serious question. No doubt it is usually said that the middle initial or name constitute no part of a person's legal name and that an error therein may be disregarded. 29 Cyc. 265. And some cases apply this rule to published process. *White v. Himmelberger-Harrison Co.* (1911) 240 Mo. 13, 139 S. W. 553. But there is a tendency in the late cases to recognize the fact that the middle name or initial is frequently the most distinguishing characteristic of a person's name and to hold that publication of a summons designating a defendant by an incorrect middle initial confers no jurisdiction. *Gibson v. Foster* (1913) 24 Colo. App. 434, 135 Pac. 121; *D'Autremont v. Anderson Iron Co.* (1908) 104 Minn. 165, 116 N. W. 357; *Carney v. Bigham* (1909) 51 Wash. 452, 99 Pac. 21. Consequently, it would seem unsafe to inform a student that he might with impunity be careless in the use of middle initials in a summons. Again on page 51 it is said that substituted service is "in its effect substantially equivalent to personal service." It is true that it has been held that a judgment *in personam* may be rendered upon such substituted service. *Continental National Bank v. Thurber* (1893, N. Y. Sup. Ct.) 74 Hun, 632. But rule 49 of the Rules of Civil Practice specifically provides that after proof of substituted service has been properly filed, "the same proceedings

may be taken thereupon as if it had been served by publication pursuant to an order for that purpose." This provision is taken from section 437 of the former Code of Civil Procedure. That section when enacted changed the law as it was under Chapter 511 of the Laws of 1853, which made substituted service the equivalent of personal service. And it has been judicially declared that under said section substituted service may be regarded as the equivalent of service by publication. *Clare v. Lockard* (1887, City Ct.) 21 Abb. N. C. 173, 175; *Clare v. Lockard* (1890) 122 N. Y. 263, 25 N. E. 391; *Bentz v. Crotona Park Realty Co.* (1913, Sup. Ct.) 81 Misc. 364, 142 N. Y. Supp. 193. It therefore seems misleading to assimilate substituted service to personal service rather than to service by publication. Were these faults characteristic of the book, it would be almost worthless; but fortunately they are not. It has much value for the student.

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Simon Van Leeuwen's Commentaries on Roman-Dutch Law. Revised and edited with notes by C. W. Decker. Translated from the original Dutch by the Hon. Sir John G. Kotzé. Second edition. Volume I. London, Sweet & Maxwell, Ltd., 1921. pp. xlvi, 504.

Roman-Dutch law enjoys a certain distinction as one of the few systems of modern civil law which have not been superseded by codes. True, it no longer flourishes in its native habitat; in 1809, and again in 1838, the law of the Netherlands was codified. But in South Africa, thanks to the loyal application of Roman-Dutch principles to modern problems by a series of able judges, and to a lesser degree in Ceylon and Guiana, Roman-Dutch law is still recognized as the common law. However, Roman-Dutch law has other and, to American students of legal history and jurisprudence, even more compelling claims to attention. We are likely to forget that the Netherlands of the seventeenth century occupied a position of strategic importance in Europe, politically, commercially, and culturally. But we need scarcely be reminded that the then Roman-Dutch school of jurisprudence held an equally strategic position in continental legal history, a position fully comparable to that of the French school in the sixteenth century, or of the German school in the nineteenth century. Not the only but perhaps the most striking contact between Dutch jurisprudence and American legal history is the influence of the Dutch statutists and Ulric Huber in particular upon Justice Story, and through him upon American theories as to the conflict of laws.

The efforts of the Dutch jurists of the seventeenth century extended in two principal directions. On the one hand, a series of systematic treatises, commencing with the Commentaries of Donellus and culminating in the monumental work of the younger Voet, approached the problem of jurisprudence through the Roman law, and set forth the entire system in a way that could scarcely be improved upon by a Domat or even a Pothier. Other writers, following the example of Grotius, addressed themselves to the task of elaborating a national law largely upon Roman principles. Of works thus written, the *Commentaries* of Simon Van Leeuwen, first published in Dutch in 1664, occupy a position in Roman-Dutch law only inferior to that of Grotius' *Inleydinge*. It is to be remembered that these and similar treatises are more than textbooks: they enjoy an authority analogous to that of the *Institutes* or Blackstone's *Commentaries* in the Common Law.

A second edition, therefore, of Judge Kotzé's translation of Van Leeuwen's *Commentaries* with the standard notes by Decker is welcome. As expected, this edition, which has been revised throughout, offers as elegant and accurate a rendition of the original as did the first edition of some thirty-five years ago. The most important changes are in the addition of the useful Epitome and in the translator's notes which have been placed in appendices at the end of the volume.